

SYN. NO. _____

AGN. NO. _____

MOTION BY SUPERVISOR ZEV YAROSLAVSKY

June 7, 2005

On June 6, 2005, the United States Supreme Court made a decision in Gonzales v. Raich authorizing the federal government to prosecute the use of marijuana for medical purposes in states that have enacted laws permitting such use. California enacted Proposition 215 in 1996, allowing residents to obtain and use marijuana for medical purposes with the consent of a physician; and SB 420 in 2003, instructing the State Department of Health Services to establish a Medical Marijuana Program that issues identification cards to qualified patients. Despite the existence of these state laws, the Los Angeles County Department of Health Services delayed the implementation of a County medical marijuana identification card program until the United States Supreme Court ruled on the Gonzales v. Raich case.

The recent decision by the United States Supreme Court has far-reaching implications for the legal protections provided to users of marijuana for medical purposes, and for the operation of medical cannabis dispensaries in the County.

I, THEREFORE, MOVE that the Board of Supervisors direct the Department of Health Services, Sheriff's Department, and County Counsel to report to the Board in two weeks on the implications of the Supreme Court decision in Gonzales v. Raich for the implementation of Prop. 215 in Los Angeles County.

CK Medical Marijuana Raich Decision

MOTION

BURKE _____

YAROSLAVSKY _____

KNABE _____

ANTONOVICH _____

MOLINA _____